In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.24986-M of 2007

.....

Date of decision:24.4.2007

Prabhjot Kaur

.....Petitioner

v.

State of Punjab and others

.....Respondents

....

Present: Mr. Veneet Sharma, Advocate for the petitioner.

.....

S.S. Saron, J. (Oral)

Notice of motion to Advocate General, Punjab.

On the asking of the Court, Mr. I.P.S. Sidhu, learned Senior Deputy Advocate General, Punjab accepts notice on behalf of respondents No.1 to 3.

Heard learned counsel for the parties.

This petition has been filed under Section 482 Cr.P.C. for directing respondent No.2 i.e. Senior Superintendent of Police, Amritsar to ensure that the petitioner and her in-laws are not harassed on account of the false complaint given by respondents No.4 and 5 to the Police regarding the Cable Television business presently run by the petitioner on behalf of her husband. Further direction is sought for directing the respondent No.2 to ensure that no further false and frivolous complaints of similar nature given

by respondents No.4 and 5 are entertained by the Police.

After hearing learned counsel for the parties and perusing the record it may be noticed that an earlier order dated 9.2.2007 has already been passed by this Court in Criminal Misc. No.8586-M of 2007. In terms of the said order the Senior Superintendent of Police, Amritsar (respondent No.2) was directed to look into the matter and take appropriate action in accordance with law. Besides, if the petitioners are required in a case seven days prior notice be given to them.

Learned counsel for the petitioner has submitted that despite the inquiries conducted by the Police, false and frivolous complaints being filed by respondents No.4 and 5 are still being entertained by the Police. He has referred to the inquiry report dated 25.3.2006 (Annexure-P.1) from Superintendent of Police (Detective), Amritsar to the Senior Superintendent of Police, Amritsar. In terms of the said report it has been observed that there was a money dispute between the parties which was of a civil nature and no interference of the Police is called for. A reference has also been made to inquiry report dated 16.11.2006 (Annexure-P.2) from Superintendent of Police, City-I, Amritsar to the Senior Superintendent of Police, Amritsar. In terms of the said report also it was found that the dispute was with regard to the partnership of operating the Cable TV and according to the statement of the complainant he was a partner with the accused. The main issue between them was with regard to running of the Cable TV which was of a civil nature. The dispute, therefore, appears to be of a civil nature. However, in the absence of material this Court is not to go into the veracity of the dispute which is there between the petitioner and

respondents No.4 and 5. An order has already been passed by this Court on 9.2.2007, a reference to which has been made above.

In the afore-noticed circumstances, no further directions are necessary in the present case. The petition is accordingly disposed.

April 24, 2007. **(S.S. Saron)**
Judge

hsp